

November 26, 2007

Via ECF and Courtesy Copy

Honorable Denise L. Cote
United States District Judge
Southern District of New York
United States Courthouse
40 Foley Square
New York, NY 11201

Re: Jadotte v. Ryder
07 CIV. 5669 (DLC)
Our File No. DRT 23502

Honorable Judge Cote:

This letter is to request an adjournment of the settlement conference currently scheduled in this case for 2:00 on November 29, 2007. Despite defendant's best efforts, we have been unable to go forward with discovery in this matter. We have not yet received the Rule 26 Disclosure that we were to have received from plaintiff by October 26, 2007. We have not received a proper expert disclosure concerning Dr. Kaplan. We have not been able to arrange the deposition of the plaintiff. For that reason, it is respectfully submitted that it would be premature to go ahead with a settlement conference in this case.

I have written to plaintiff's counsel requesting their cooperation in discovery, most recently on October 23, 2007. I have not received an answer to that letter, nor any additional discovery as of this date. Therefore, we believe that the settlement conference presently scheduled for November 29, 2007 would not be productive, and we request that it be adjourned.

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Thank you for your consideration of this request.

Respectfully submitted,

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